



# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003, Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 180.00

## Complete if Known

Application Number 09/697,206  
Filing Date October 26, 2000  
First Named Inventor Daniel E. H. AFAR  
Examiner Name M. Davis  
Art Unit 1642  
Attorney Docket No. 511582002100

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number 03-1952 referencing  
511582002100

Deposit Account Name Morrison & Foerster LLP

The Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ ) 0.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims			
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 180.00

## SUBMITTED BY

Name (Print/Type) David L. Devernoe Registration No. (Attorney/Agent) 50,128 Telephone (858) 720-7943  
Signature [Signature] Date August 27, 2003

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Dated: 8/27/03 Signature: Judy Bridgwater (Judy Bridgwater)

1642\$

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/697,206
Filing Date	October 26, 2000
First Named Inventor	Daniel E. H. AFAR
Art Unit	1642
Examiner Name	M. Davis
Attorney Docket Number	511582002100

Total Number of Pages in This Submission

12

## ENCLOSURES (check all that apply)

☒ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement - Supplemental☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/Incomplete Application☐ Response to Missing Parts under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ After Allowance Communication to Group☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify below):

- 1) Form 1449
- 2) References: 143
3. Return Postcard

Remarks

Customer No. 25225

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual nameMORRISON & FOERSTER LLP  
David L. Devernoe - 50,128

Signature

Date

August 27, 2003

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PATENT  
Docket No. 511582002100

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*Judy Bridgwater*  
Judy Bridgwater

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Daniel E. H. AFAR et al.

Serial No.: 09/697,206

Filing Date: October 26, 2000

For: NOVEL GENE UPREGULATED IN  
CANCERS OF THE PROSTATE

Examiner: M. Davis

Group Art Unit: 1642

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA, 22313

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

09/08/2003 JADD01 00000052 031952 09697206

01 FC:1806 180.00 DA

sd-161894

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☒ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \* is enclosed.
  - ☒ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of \* is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.


The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to

charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 511582002100. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: August 27, 2003

Respectfully submitted,

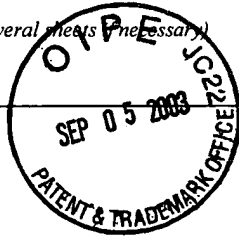
By:   
David L. Devernoe  
Registration No. 50,128

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Facsimile: (858) 720-5125

Form PTO-1449

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)



Docket Number 511582002100

Application Number 09/697,206

Applicant

Daniel E.H. AFAR et al.

Filing Date October 26, 2000

Group Art Unit 1642

Mailing Date August 27, 2003

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## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	12/1979	4,179,337	Davis et al.	435	181	
	2.	11/1981	4,301,144	Iwashita et al.	424	78	
	3.	01/1985	4,496,689	Mitra	525	54.1	
	4.	02/1987	4,640,835	Shimizu et al.	424	94	
	5.	06/1987	4,670,417	Iwasaki et al.	514	6	
	6.	04/1988	4,736,866	Leder et al.	800	1	
	7.	12/1988	4,791,192	Nakagawa et al.	530	399	
	8.	09/1989	4,870,009	Evans et al.	435	70	
	9.	01/1995	5,382,510	Levine et al.	435	6	
	10.	06/1995	5,428,130	Capon et al.	530	350	
	11.	03/1998	5,723,286	Dower et al.	435	5	
	12.	03/1998	5,733,731	Schatz et al.	435	6	
	13.	11/1998	5,837,501	Beumer et al.	435	91.2	
	14.	11/1998	5,840,501	Allard et al.	435	74	
	15.	12/1998	5,846,722	Kauvar et al.	435	6	
	16.	07/1999	5,919,652	Pang et al.	435	69.1	
	17.	07/1999	5,925,523	Dove et al.	435	6	
	18.	07/1999	5,928,868	Liu et al.	435	6	
	19.	08/1999	5,939,533	Lilja et al.	530	387.7	
	20.	09/1999	5,952,170	Stroun et al.	435	6	
	21.	09/1999	5,955,280	Vidal et al.	435	6	
	22.	12/1999	6,004,746	Brent et al.	435	6	

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
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EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.



<b>Form PTO-1449</b> <b>INFORMATION DISCLOSURE</b> <b>IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>	Docket Number 511582002100	Application Number 09/697,206
	Applicant Daniel E.H. AFAR et al.	
	Filing Date October 26, 2000	Group Art Unit 1642
	Mailing Date August 27, 2003	

	23.	04/1998	WO 98/16628	WIPO			
	24.	06/1998	WO 98/24893	WIPO			

**OTHER DOCUMENTS***(including author, title, Date, Pertinent Pages, Etc.)*

Examiner Initials	Ref. No.	Title
	25. /	Alanen et al., Pathol. Res. Pract. (1996) 192(3):233-237 /
	26. /	Alers et al., Lab. Invest. (1997) 77(5):437-438
	27. /	Altschul et al., Methods in Enzymology (1996) 266:460-480
	28.	Arlen et al., Crit. Rev. Immunol. (1998) 18:133-138
	29.	Arthur et al., Cancer Gene Ther. (1997) 4:17-25
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	39.	Carter et al., Proc. Natl. Acad. Sci. USA (1996) 93:749 -
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	41.	Chothia, J. Mol. Biol. (1976) 150:1 -
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Form PTO-1449

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number 511582002100

Application Number 09/697,206

Applicant

Daniel E.H. AFAR et al.

Filing Date October 26, 2000

Group Art Unit 1642

Mailing Date August 27, 2003

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50.	Epstein, Hum. Pathol. (1995) 26(2):223-229 /
51.	Evans et al., Am. J. Obstet. Gynecol. (1994) 171(4):1055-1057 /
52.	Falk et al., Nature (1991) 351:290-296 /
53.	Fong et al., J. Immunol. (1997) 159:3113-3117 /
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68.	Hodge et al., Int. J. Cancer (1995) 63:231-237 /
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75.	J. Urol. (1995) 154(2 Pt 1):474-478 /
76.	Jakobovits, Exp. Opin. Invest. Drugs (1998) 7(4):607-614 /
77.	Jarrard, J. Urol. (2000) 163(4):1189-1190 /
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INFORMATION DISCLOSURE CITATION  
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Docket Number 511582002100

Application Number 09/697,206

Applicant

Daniel E.H. AFAR et al.

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Group Art Unit 1642

Mailing Date August 27, 2003

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86.	Marrogi et al., J. Cutan. Pathol. (1999) 26(8):369-378 -
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90.	Moun et al., Cancer Res. (1994) 54:6160-6166 -
91.	Muller et al., MCB (1991) 11:1785 -
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103.	Restifo, Curr. Opin. Immunol. (1996) 8:658-663
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107.	Riechmann et al., Nature (1988) 332:323-327 -
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111.	Schwartz et al., J. Immunol. (1985) 135(4):2598-2608 -
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114.	Shnyreva et al., J. Biol. Chem. (2000) 19;275:15498-15503 -
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125.	Tsunenari et al., Blood (1997) 90:2437-2444 -
126.	Tulchinsky et al., Int. J. Mol. Med. (1999) 4(1):99-102
127.	Van den Eynde and Boon, Int. J. Clin. Lab. Res. (1997) 27:81-86 -
128.	Vaughan et al., Nature Biotechnology (1998) 16:535-539 -
129.	Velders et al., Cancer Res. (1995) 55:4398-4403 -
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141.	Yeatment et al., Clin. Exp. Metastasis (1996) 14(3):246-252 -

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	Applicant Daniel E.H. AFAR et al.	
	Filing Date October 26, 2000	Group Art Unit 1642
	Mailing Date August 27, 2003	

142.	Zhong et al., Leuk. Res. (1996) 20:581-589
143.	Zoller et al., Nucl. Acids Res. (1987) 10:6487

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EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.	